

# Notice of Allowability

Application No.

10/077,072

Applicant(s)

Fischer et al.

Examiner

Wilson Lee

Art Unit

2821



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course.

**THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/11/2003.

2. ☒ The allowed claim(s) is/are 1, 3, 5, 8, 9, 12-14, 16-19, and 22-24.

3. ☒ The drawings filed on Feb 14, 2002 are accepted by the Examiner.

4. ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

(a) ☐ The translation of the foreign language provisional application has been received.

6. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

8. ☐ CORRECTED DRAWINGS must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.

(b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the examiner.

(c) ☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1 ☐ Notice of References Cited (PTO-892)

3 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

5 ☐ Information Disclosure Statement(s) (PTO-1449), Paper No(s). \_\_\_\_\_

7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

9 ☐ Other

2 ☐ Notice of Informal Patent Application (PTO-152)

4 ☐ Interview Summary (PTO-413), Paper No. \_\_\_\_\_.

6 ☐ Examiner's Amendment/Comment

8 ☒ Examiner's Statement of Reasons for Allowance

*Wilson Lee*  
Primary Examiner

Art Unit: 2821

**Allowable subject matter**

Claims 1, 3, 5, 8, 9, 12-14, 16-19, 22-24 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art neither discloses nor suggests that:

- The plurality of confinement rings being suspend parallel to and surrounding the first powered electrode and second electrode within the plasma processing chamber, the plurality of confinement rings capable of being raised and lowered to extend into a region above and around the first powered electrode such as required by Claims 1 and 13; and
- The plurality of confinement rings being positioned above and surrounding the first electrode, the second electrode and a portion of the ground extension such as required by Claim 18.

Proper motivation is not found to combine references disclosing the limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Correspondence**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824 and fax number is (571) 273-1824.

Art Unit: 2821

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read "Wilson Lee", written over a horizontal line.

Wilson Lee  
Primary Examiner  
U.S. Patent & Trademark Office

WL  
1/20/04